

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

NORMAN DORISE,

Plaintiff,

Case No. 09-10042

Hon. Marianne O. Battani

v.

Magistrate Judge Michael Hluchaniuk

ELLA BULLEA CUMMINGS,
et al.,

Defendants.

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiff, Norman Dorise, an inmate housed at the Chippewa Correctional Facility, filed a complaint alleging various employees of the City of Detroit violated his constitutional rights. The Court subsequently referred this matter to Magistrate Judge Michael Hluchaniuk for all pretrial proceedings pursuant to 28 U.S.C. § 636(b).

On May 11, 2010, the Magistrate Judge recommended that the Court grant Plaintiff's Motion to Dismiss several defendants, including James Fitz, Maurice Getteno, John Mozak, Sheldon Lloyd, Dale Collins, Jo Miller, Melvin Chaney, Michael Jordan, and Ella Cummings from this lawsuit. See Doc. No. 87. Each of these Defendants has filed a motion to dismiss, which the Magistrate Judge recommended be denied as moot. See Doc. Nos. 77, 78, 83.

The Magistrate Judge informed the parties that objections to the R&R must be filed within ten days of service and that a party's failure to file objections would waive any further right of appeal. See R&R at 2; 28 U.S.C. § 636(b)(1) and E.D. Mich. LR 72.1(d)(2).

Because no objection has been filed in this case, the parties waived their right to review and appeal. Accordingly, the Court **ADOPTS** the Report and Recommendation, **GRANTS** Plaintiff's motion for voluntary dismissal under Rule 41, and **DENIES** as moot Defendants' motions to dismiss.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATED: June 4, 2010

CERTIFICATE OF SERVICE

Copies of this Order were mailed to Plaintiff and counsel of record on this date by ordinary mail and electronic filing.

s/Bernadette M. Thebolt
Case Manager